

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CLARK CONSULTING, INC.,)
vs.)
Plaintiff,) Case No. 07-7231
vs.)
R. SCOTT RICHARDSON,)
Defendant.)

DECLARATION UNDER PENALTY OF PERJURY

I, Gregory R. James, Jr., do declare under penalty of perjury that the matters stated in this Declaration are true and correct to the best of my knowledge, information and belief.

1. My Firm was engaged to serve as Local Counsel in the matter of Clark Consulting, Inc. v. R. Scott Richardson, Case No. 07-7231.
2. My Partner, Thomas S. Bradley, caused a subpoena *duces tecum* to be served upon Defendant Richardson's current employer, Executive Benefit Options, LLC ("EBO"). This subpoena requested the production of documents or tangible things which relate directly to the claims made by Clark in this lawsuit and requested to inspect devices containing Clark's trade secrets, confidential, proprietary and/or other information which is relevant to the issues in this lawsuit. A copy of the subpoena, and Clark's requests, are attached hereto as Exhibit A.
3. Counsel for EBO is Thomas A. Christensen. In response to the subpoena, Mr. Christensen threatened to seek sanctions if there was any effort to enforce the subpoena. See Exhibit B. EBO's written response to Clark's subpoena is attached as Exhibit C hereto. In this response, EBO objected to this request in toto and refused to provide any of the requested information.

4. The undersigned counsel initiated a telephone call to EBO's counsel, Mr. Christensen, on May 16, 2008, to determine whether EBO would produce any of the requested information and whether the parties could reach some agreement regarding discovery prior to resorting to this Court for relief. The parties did not reach an agreement regarding the propriety of Clark's request or EBO's responses.

Dated: June 2, 2008

s:/Gregory R. James, Jr.

Gregory R. James, Jr. (06198667)

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